

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#6/Suppl
IDS

In re application of:

Hogenkamp *et al.*

Appl. No. 09/814,123

Filed: March 22, 2001

For: Aryl Substituted Pyrazoles,
Triazoles and Tetrazoles, and the
Use Thereof

Confirmation No. 2060

Art Unit: 1626

Examiner: Shameem, G.

Atty. Docket: 1861.1270001/JMC/THN

**First Supplemental Information Disclosure Statement and Fee
Under 37 C.F.R. § 1.97(c)**

Commissioner for Patents
Washington, D.C. 20231

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. The numbering on this First Supplemental Information Disclosure Statement is a continuation of the numbering in Applicants' Information Disclosure Statement filed on December 13, 2001 in connection with the above-captioned application. A copy of each document is also provided.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

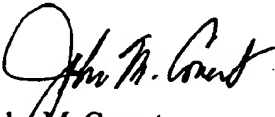
This statement should not be construed as a representation that an exhaustive search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO-1449, and to indicate in the official file wrapper of this patent application that the documents have been considered.

In accordance with 37 C.F.R. § 1.97(c), fee payment under 37 C.F.R. § 1.17(p) is provided in our accompanying Check No. 33590. The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036. A duplicate copy of this pleading is enclosed.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.


John M. Covert
Attorney for Applicants
Registration No. 38,759

Date: Dec. 19, 2001

1100 New York Avenue, N.W.
Suite 600
Washington, D.C. 20005-3934
(202) 371-2600

FORM PTO-1449

INFORMATION DISCLOSURE STATEMENT

ATTY. DOCKET NO.
1861.1270001/JMC/THNAPPLICATION NO.
09/814,123APPLICANT
Hogenkamp *et al.*FILING DATE
March 22, 2001GROUP
1626

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA						
	AB						
	AC						
	AD						
	AE						
	AF						
	AG						
	AH						
	AI						
	AJ1	5,602,156	02/11/1997	Kohn <i>et al.</i>	514	359	03/10/1994
	AK1	5,744,492	04/28/1998	Kohn <i>et al.</i>	514	359	03/10/1994

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL						Yes No
	AM						Yes No
	AN						Yes No
	AO						Yes No
	AP						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR		
	AS		
	AT		

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

FORM PTO-1449

INFORMATION DISCLOSURE STATEMENT

ATTY. DOCKET NO.
1861.1270001/JMC/THMAPPLICATION NO.
09/814,123APPLICANT
Hogenkamp *et al.*FILING DATE
March 22, 2001GROUP
1626

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA2	6,057,346	05/02/2000	Kohn <i>et al.</i>	514	359	12/12/1994
	AB						
	AC						
	AD						
	AE						
	AF						
	AG						
	AH						
	AI						
	AJ						
	AK						

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL						Yes No
	AM						Yes No
	AN						Yes No
	AO						Yes No
	AP						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR		
	AS		
	AT		

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

STERNE, KESSLER, GOLDSTEIN & FOX PLLC
ATTORNEYS AT LAW
GOVERNMENT FEES ACCT.
1100 NEW YORK AVE. NW, SUITE 600
WASHINGTON, D.C. 20005

33590

15-122
540

DOLLARS

THE SUM OF 180 DOLLARS

PAY

DATE

TO THE ORDER OF

COMM. OF PATENTS & TRADEMARKS

Hogenkamp et al.

Appl. No. 09/814,123

FIRST UNION BANK • WASHINGTON, D.C. 20005

CHECK AMOUNT	180.00
--------------	--------

REMITTANCE ADVICE									

John M. Court

⑈033590⑈ ⑆05400420⑆2076500307989⑈

Applicants: Hogenkamp *et al.*

Application No.: 09/814,123

Filed: March 22, 2001

For: Aryl Substituted Pyrazoles, Triazoles and Tetrazoles, and the Use Thereof

Due Date: None

Art Unit: 1626

Examiner: Shameem, G.

Docket: 1861.1270001

Atty: JMC/THN

When receipt stamp is placed hereon, the USPTO acknowledges receipt of the following documents:

Applicants: Hogenkamp *et al.*

Application No.: 09/814,123

Filed: March 22, 2001

For: Aryl Substituted Pyrazoles, Triazoles and Tetrazoles, and the Use Thereof

Due Date: None

Art Unit: 1626

Examiner: Shameem, G.

Docket: 1861.1270001

Atty: JMC/THN

When receipt stamp is placed hereon, the USPTO acknowledges receipt of the following documents:

1. SKGF Cover Letter (*in duplicate*);
2. Fee Transmittal Form (PTO/SB/17) (*in duplicate*);
3. First Supplemental Information Disclosure Statement and Fee Under 37 C.F.R. § 1.97(c) (*in duplicate*);
4. Form PTO-1449 (2 sheets);
5. Copies of the following cited documents: AJ1, AK1, and AA2;
6. Our Check No. 33590 for \$180.00 to cover the fee for submission of an Information Disclosure Statement (37 C.F.R. § 1.17(p)); and
7. One (1) return postcard.



December 19, 2001

Please Date Stamp And Return To Our Courier

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

ATTORNEYS AT LAW

1100 NEW YORK AVENUE, N.W. • WASHINGTON, D.C. 20005-3934

PHONE: (202) 371-2600 • FACSIMILE: (202) 371-2540 • www.skgf.com

ROBERT GREENE STERNE
EDWARD J. KESSLER
JORGE A. GOLDSTEIN
SAMUEL L. FOX***
DAVID K.S. CORNWELL
ROBERT W. ESMOND
TRACY-GENE G. DURKIN
MICHELE A. CIOBALA
MICHAEL B. RAY
ROBERT E. SOKOHL
ERIC K. STEFFE
MICHAEL O. LEE
STEVEN R. LUDWIG

JOHN M. COVERT
LINDA E. ALCORN
ROBERT C. MILLONIG
MICHAEL V. MESSINGER
JUDITH U. KIM
TIMOTHY J. SHEA, JR.
PATRICK E. GARRETT
JEFFREY T. HELVEY*
HEIDI L. KRAUS
JEFFREY R. KURIN
PATRICK D. O'BRIEN
LAWRENCE B. BUGAISKY
CRYSTAL D. SAYLES

EDWARD W. YEE
ALBERT L. FERRO*
DONALD R. BANOWIT
PETER A. JACKMAN
MOLLY A. MCCALL
TERESA U. MEDLER
JEFFREY S. WEAVER
KENDRICK P. PATTERSON
DONALD J. FEATHERSTONE
VINCENT L. CAPUANO
JOHN A. HARROUN*
ALBERT J. FABULO II*
ELDORA ELLISON FLOYD*

W. RUSSELL SWINDELL
THOMAS C. FIALA
BRIAN J. DEL BUONO*
VIRGIL L. BEASTON*
RYAN J. STAMPER*
REGINALD D. LUCAS*
THEODORE A. WOOD
ELIZABETH J. HAANES
BRUCE E. CHALKER
JOSEPH S. OSTROFF
KAREN R. MARKOWICZ**
SUZANNE E. ZISKA**
ANDREA J. KAMAGE**

NANCY J. LEITH**
JOSEPH M. CONRAD, III**
DOUGLAS M. WILSON**
ANN E. SUMMERFIELD**
CYNTHIA M. BOUCHEZ**
HELENE C. CARLSON**
GABY L. LONGSWORTH**
DUSTIN T. JOHNSON**
MATTHEW J. DOWO**
AARON L. SCHWARTZ**

*LIMITED TO MATTERS
AND PROCEEDINGS BEFORE
FEDERAL COURTS & AGENCIES
**REGISTERED PATENT AGENT
***SENIOR COUNSEL

December 19, 2001

WRITER'S DIRECT NUMBER:
(202) 371-2673

INTERNET ADDRESS:
ICOVERT@SKGF.COM

Commissioner for Patents
Washington, D.C. 20231

Group Art Unit 1626

Re: U.S. Patent Application
Appl. No. 09/814,123; Filed: March 22, 2001
For: Aryl Substituted Pyrazoles, Triazoles and Tetrazoles, and the
Use Thereof
Inventors: Hogenkamp *et al.*
Our Ref: 1861.1270001/JMC/THN

Sir;

Transmitted herewith for appropriate action are the following documents:

1. Fee Transmittal Form (PTO/SB/17) (*in duplicate*);
2. First Supplemental Information Disclosure Statement and Fee Under 37 C.F.R. § 1.97(c) (*in duplicate*);
3. Form PTO-1449 (2 sheets);
4. Copies of the following cited documents: AJ1, AK1, and AA2;
5. Our Check No. 33590 for \$180.00 to cover the fee for submission of an Information Disclosure Statement (37 C.F.R. § 1.17(p)); and
6. One (1) return postcard.

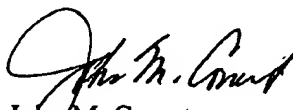
Commissioner for Patents
December 19, 2001
Page 2

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036. A duplicate copy of this letter is enclosed.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.


John M. Covert
Attorney for Applicants
Registration No. 38,759

Enclosures

FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT

(\$180.00)

Complete If Known

Application Number	09/814,123
Filing Date	March 22, 2001
First Named Inventor	Derk J. Hogenkamp
Examiner Name	1626
Group Art Unit	Shameem, G.
Attorney Docket No.	1881.1270001/JMC/THN

METHOD OF PAYMENT (check one)

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any overpayment to:

Deposit Account Number

19-0036

Deposit Account Name

Sterne, Kessler, Goldstein & Fox P.L.L.C.

- ☐ Charge Any Additional Fee Required Under 37 CFR §§ 1.16 and 1.17

- ☐ Applicant claims small entity status See 37 CFR 1.27

2. ☒ Payment Enclosed:

- ☒ Check ☐ Credit card ☐ Money Order ☒ Other
*Charge any deficiencies or credit any overpayments in the fees or fee calculations of Parts 1, 2 and 3 below to Deposit Account No. 19-0036.

FEE CALCULATION

1. BASIC FILING FEE

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
101	710	201	355	Utility filing fee	
106	320	206	160	Design filing fee	
107	490	207	245	Plant filing fee	
108	710	208	355	Reissue filing fee	
114	150	214	75	Provisional filing fee	
SUBTOTAL (1) (\$)					0.00

2. EXTRA CLAIM FEES

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
Total Claims 25 - 25** = 0 X =					
Indep. Claims 5 - 5** = 0 X =					
Multiple Dependent =					
103	18	203	9	Claims in excess of 20	
102	80	202	40	Independent claims in excess of 3	
104	270	204	135	Multiple dependent claim	
108	80	208	40	**Reissue independent claims over original patent	
110	18	210	9	**Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2) (\$)					0.00

** or number previously paid, if greater. For Reissues, see above

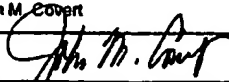
FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	390	216	195	Extension for reply within second month	
117	890	217	445	Extension for reply within third month	
118	1,390	218	695	Extension for reply within fourth month	
128	1,890	228	945	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,240	241	620	Petition to revive - unintentional	
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	130	123	130	Petitions related to provisional applications	
126	180	126	180	Submission of Information Disclosure Stmt	180.00
581	40	481	40	Recording each patent assignment per property (times number of properties)	
146	710	246	355	Filing a submission after final rejection (37 CFR 1.129(a))	
149	710	249	355	For each additional invention to be examined (37 CFR 1.129(b))	
179	710	279	355	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	
Other fee (specify):					
Other fee (specify):					
*Reduced by Basic Filing Fee Paid					
SUBTOTAL (3) (\$)					180.00

SUBMITTED BY

Name (Print/Type)	John M. Ewert	Registration No. (Attorney/Agent)	38,759	Telephone	202-371-2600
Signature				Date	Dec 19, 2001

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

SRGP Rev. 11/13/00 msc

1 SUPPL IDS.FEE.WFO